

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear Disarmament

Working paper submitted by Canada

Nuclear disarmament has, since the inception of the Treaty on the Non-Proliferation of Nuclear Weapons 35 years ago, been one of its three core commitments constituting the "grand bargain" of the Treaty. The viability of this Treaty depends on these commitments being honoured in deeds and not just words. Collective understandings of what the article VI obligation means in practice have been gradually developed through the Treaty review process. In 1995, the emphasis was on concluding the Comprehensive Nuclear-Test-Ban Treaty and the fissile material cut-off treaty and the pursuit of "systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons". In 2000, there was a further collective agreement on what needed to be done: the so-called 13 Steps, which actually include 18 measures for giving effect to the nuclear disarmament commitment. These steps are not a panacea nor a definitive listing, but they do constitute a common objective benchmark against which to measure progress in achieving nuclear disarmament. Consistent, demonstrable progress towards the elimination of nuclear weapons is what this Treaty needs to maintain its authority. If the credibility of the commitments assumed under this Treaty is compromised, States will gradually make other arrangements to assure their security interests and the resulting world may be a far more dangerous place than it is now. In the words of Mr. ElBaradei, of the International Atomic Energy Agency: "We have come to a fork in the road. Either there must be a demonstrated commitment to move toward nuclear disarmament, or we should resign ourselves to the fact that other countries will pursue a more dangerous parity through proliferation".

In our view, the benchmarks agreed in this forum are crucial for measuring and substantiating the progress the nuclear-weapon States are making in nuclear disarmament. To seek to ignore or circumvent them as mere political commitments of the past is to undermine all the political commitments made in implementation of the Treaty and to cast doubt upon the credibility of engagements entered into by current administrations or Governments. For our part, we do not insist on a rigid adherence to these steps, if nuclear-weapon States believe they have devised better ways of achieving the intent behind the steps. Such adjustments, however, need to



be explained to the Treaty community. We all have a stake in the realization of these nuclear disarmament objectives. Let me take them up in turn:

Comprehensive Nuclear-Test-Ban Treaty (Steps 1 and 2): Achieving the entry into force of the Comprehensive Nuclear-Test-Ban Treaty remains a top priority for this regime. The Treaty, with its robust verification capacity in the International Monitoring System, represents an effective bar to both horizontal and vertical nuclear proliferation. Failure to bring this accord into force gives countries like the Democratic People's Republic of Korea a blank cheque for indigenous development of nuclear weapons. The eight Annex II signatories that have not yet ratified should do so without delay if united pressure is going to be brought to bear on the three holdouts who have failed to sign this vital treaty. If there are nuclear-weapon States that still harbour desires to keep the nuclear testing door open, let them be aware that others may exploit that opening if it is not firmly and decisively closed. Existing moratoria on nuclear tests are welcomed signs of restraint, but they can be terminated unilaterally and are no substitutes for a legally binding compact. Let us not delude ourselves — continued stalling on the Treaty imperils the nuclear non-proliferation and disarmament enterprise.

Fissile material cut-off treaty/Conference on Disarmament (Steps 3 and 4): Turning off the tap of fissile material production for nuclear weapons is another pressing priority on which no forward movement has been registered since 2000. The Conference on Disarmament had been given a specific mandate by the last Review Conference, which it has completely failed to realize. This is not the fault of the Conference on Disarmament, but of those States which have not yet displayed the political will and flexibility required to adopt an agreed programme of work incorporating negotiations on a fissile material cut-off treaty and discussion of three other priority issues. One of these is the topic of nuclear disarmament, for which again the Conference on Disarmament had a specific request from the membership of the Treaty on the Non-Proliferation of Nuclear Weapons. There is no point in this Conference in urging the Conference on Disarmament to take action if some States party to the Treaty then proceed to block the Conference on Disarmament from fulfilling these assignments. All that this accomplishes is to discredit multilateral cooperation on non-proliferation and disarmament with serious repercussions for the integrity of this Treaty. A bankrupt Conference on Disarmament will eventually lead to an insolvent Treaty unless other multilateral channels are found to advance its disarmament agenda.

Irreversibility and verifiability (Steps 5 and 6): To maintain the credibility of the undertaking, movement towards the elimination of nuclear weapons needs to be exclusively in one direction: downwards. Dismantled warheads should only be stored for so long as it takes to safely effect their destruction. Verification of disarmament progress is required to provide the necessary confidence to all parties that disarmament undertakings are actually being implemented. Transparency is also crucial, in this regard, to build that general confidence and moreover to ensure that the non-weapon States receive the credit they deserve for the disarmament action they have taken.

United States of America-Russian nuclear reductions and strategic stability (Step 7): As holders of the greatest store of nuclear weapons, the United States and Russia have special responsibilities to lead the way in nuclear disarmament. We welcome the May 2004 decision to cut the current American

nuclear stockpile by almost 50 per cent, and we would encourage the United States to provide a timetable for accomplishing this reduction. We urge Russia to undertake a similar commitment. We applaud the progress being made in reducing deployed strategic warheads under the Moscow Treaty and the provision of more specific information on the number of United States warheads reduced since the Treaty was signed. We urge the parties to apply the principles of irreversibility, verifiability and transparency for the reasons cited above. Specific timetables for reaching the 2012 end state envisaged in the Moscow Treaty and greater specificity as to exactly what that end state will be (we admit a preference for the lower number) would be useful complements to the Treaty. We would also welcome indications from Russia and the United States of how the move to a warhead-based accounting system and the inclusion of non-strategic nuclear weapons (as envisaged in the START III framework), as well as the aim of strategic stability, are to be carried forward over the next five years.

Controls on fissile material (Steps 8 and 10): Given the obvious non-proliferation and disarmament benefits, we would have liked to have seen more significant progress in transferring surplus fissile material from military stockpiles to international controls. We call upon Russia and the United States to reactivate and implement the Trilateral Initiative or an equivalent and for all nuclear-weapon States to place excess military fissile material under IAEA or other international control. These measures are all the more compelling in light of the threat of terrorist acquisition.

Further nuclear disarmament measures (Step 9): All nuclear-weapon States have a responsibility to ensure that their actions and pronouncements are compatible with the general movement towards nuclear disarmament. Doctrinal or policy utterances that give the impression that nuclear weapons are being accorded increased importance in respective security policies are anathema to disarmament efforts and give rise to justified concerns as to the sincerity of the commitments entered into. While much attention has been shown to long-range nuclear systems, non-strategic nuclear forces represent no less of a danger. We welcome the information provided by the United States on its full implementation of the 1991 Presidential Nuclear Initiatives, and welcome the similar information from Russia, which we hope will be able to be expressed in numerical, as opposed to percentage, terms in the future. We also urge China to provide information concerning its contributions to nuclear disarmament. In Europe, the North Atlantic Treaty Organization (NATO) has made a significant contribution to reducing the numbers, types and operational status of nuclear forces. Last year it also provided important transparency about its actions and policies via publication of two fact sheets on its nuclear forces and its promotion of non-proliferation, arms control and disarmament objectives. We would welcome even greater engagement between NATO and Russia to build confidence and facilitate progress towards the goal of a nuclear-weapon-free Europe. Such a goal, of course, cannot be limited to one continent, and we encourage all those in possession of nuclear weapons to work progressively towards their elimination and not provide new impetus to destabilizing arms races.

Reporting (Step 12): If progress on nuclear disarmament is to be credible and credited, it should be properly documented. In our view, all States parties to the Treaty have a responsibility to account for how they are implementing the Treaty, and we welcome those who are doing so. We would like to see this Conference adopt a decision that would make annual reporting to Treaty sessions a requirement

for all members. Given the interrelationship of the Treaty provisions, we would favour reports covering implementation of all aspects of the Treaty. This would represent a modest, but significant, act of participatory democracy by Treaty members and accountability before the Treaty community. We welcome the information on implementation provided by nuclear-weapon States in their statements and applaud Russia and China for conveying this in the form of a report to the Conference. We urge the other nuclear-weapon States to re-package their implementation statements as an official report to this Conference. Reports ensure an official record of the accomplishments of States in carrying out their Treaty commitments and give all a basis for factual comparison in the future. We urge acceptance of this proposal and have provided draft decision language in working paper 39, in the section on reporting.

Verification (Step 13): As mentioned earlier, Canada believes in the value of verification in the realization of non-proliferation, arms control and disarmament commitments. Agreements that lack serious verification provisions are essentially only declarations of good intent, subject to changing politico-security perceptions without notice. If agreements concerning sensitive weapons systems or material are to instil confidence among the parties that they are truly being implemented, there should be adequate verification of these accords. We consider that multilateral approaches here add real value to whatever national means might already be available. Recent events tend to bear this out. We also believe that verification efforts under the Treaty should not be only focused on its non-proliferation and peaceful uses aspects, but should include the development of verification techniques that can facilitate the elimination of nuclear weapons as well. We applaud the constructive work undertaken by the Government of the United Kingdom of Great Britain and Northern Ireland in this regard and would urge the other nuclear-weapon States to devote similar attention and resources to this problem.

This survey of the progress that has been made on nuclear disarmament in reference to the 13 steps agreed in 2000 suggests the value of having a set of objective benchmarks. Such reference points are not as vulnerable to distortion or subjective evaluation as are vague, general formulas. They are the nuclear-weapon States' friends, not their enemies, and should be treated as such. They tell us what has been achieved during the period under review and what remains to be accomplished in the years to come. One area where work remains to be accomplished, also reflecting engagements accepted in 2000, but not yet realized, is on negative security assurances. Canada supports beginning discussions on codifying negative security assurances on a legally binding basis. Let us all ensure that we advance along the road to a nuclear-free world in a coherent, consistent and transparent manner.